5. Documents containing expressions as, "തമ്പ്രാൻ, അടിയൻ, etc."

Mr. M. K. Raman.—Sir, at the very outset I may submit to this House that the resolution that I am going to move now is an important resolution (*hear, hear*). I find from the facial expressions of several of the Members in the House that this is thought as a subject for amusement. I respectfully submit that this is a very important and serious matter which affects the self-respect and prestige of a very large section of the population of the State. However amusing this may appear superficially, when we go deep, it will be seen that it is a very important matter which concerns nearly 40 or 50 per cent of our population and one that affects them most sensitively because it wounds their self-respect mainly. My resolution runs thus :—"This Council recommends to the Government that instructions be issued to the Registrars, and other public servants that no documents containing the expressions "തമ്പ്രാൻ, അടിയൻ, etc." indicating a caste or social inferiority or superiority between one section and another in the State, be received in any public office."

It is the usual practice while writing a document or even while writing a Vakkalath that the words "തമ്പ്രാൻ, അടിയൻ' etc., to be incorporated into the document.

President.—But the resolution relates to registry offices.

Mr. M. K. Raman.—My resolution is not confined to registry offices alone. It relates also to other public servants.

President.—Yes, you can go on.

Mr. M. K. Raman.—These expressions are certainly a sign of humiliation to those who write so. It is clear that these terms are intended to denote caste inferiority. I do not understand what right one subject of His Highness has to make another one submit to that humiliation. In many cases when the party wants money, when he is urgently in need of money, and if the other man is prepared to part with his money only if this man writes these words in the document, he will be forced to do it, even though much against his will. I shall quote a personal instance to show how some people behave in these matters. I had to write a document for the purpose of getting some money from a Kuri and a certain gentleman insisted upon writing such a word. I said that I would rather forego the money, if need be, than write that word. Afterwards some of my friends belonging to the same community as the other man had to interfere. Eventually the money was received though there was a delay of two months. If in my case, that sort of behaviour could be attempted, I respectfully ask what would be the condition of the labour class who are not in a position to fight with them as I attempted. Many poor people are driven to write such terms, in spite of the fact that they would, under ordinary con-

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ditions never yield to such a humiliation. Man is driven to do many things which he would not otherwise do because his wants are keen. Even if they are asked to write the word 'God', I suppose they may write so because money is such a pressing necessity to man. I submit therefore that unless the Government comes to their rescue they will not be able to escape from this trouble. An argument may be put forward that there is nothing obligatory that he sould write shuch a thing. But his pressing necessity drives him to write so. Unless Government issues an order that such documents will not be accepted, the practice will still continue. It can be effectively put a stop to only by an order of the Government. A move like that ought to be taken by a progressive State like ours. It is very often said that our State is one of the most educated one in India. We can take that lead in a measure like this and let others to follow us. I request the Government, therefore, to issue an order to this effect promptly and I request all the Members also to support my resolution and pass it unanimously.

Mr. K. Ayyappan.—I second it. There is an amendment in may name. It is this.—

"തിരുമേനി, സ്വാമി, മുതലാളി, യജമാനൻ, എന്നു കൂടി തമ്പുരാൻ, അടിയൻ, എന്നു പദങ്ങളുടെ നടുവിൽ വയ്ക്കണമെന്നാണു" എന്റെ ഭേദഗതി. ഞാൻ ഈ ഭേദഗതിയോടുകൂടി ഇതിനെ പിന്താങ്ങുന്നു. ഇതിലെ കാര്യങ്ങൾ നല്ലപോലെ അവതാരകൻ തന്നെ ഇവിടെ പറഞ്ഞു കഴിഞ്ഞു. എന്തുകൊണ്ടു ശവമ്മെണ്ടു് ഇതു സ്വീകരിക്കുന്നില്ല? ഈവക പദങ്ങൾ ഉപയോഗിക്കണമെന്നു് ഒരു നിബ്ബന്ധവുമില്ലെങ്കിൽ പിന്നെ ശവമ്മെണ്ടെന്നു് ഇതു സ്വീകരിച്ചാൽ എന്താണു തരക്കേടു്? ഈവക വിളികൾ ഉപയോഗിക്കണമെന്നു് നിബ്ബന്ധം ഇല്ലെങ്കിലും സാമ്പത്തികമായി മറ്റുള്ളവർക്കു കീഴ്പ്പെട്ടു നില്ക്കുന്ന ചില സമുദായങ്ങൾ ഈ വിളികൾ ഉപയോഗിക്കേണ്ട ആവശ്യം പലപ്പോഴും നേരിടും. ഈ വിളികൾ ഉപയോഗിക്കുന്നതു് ന്യായമവിരുദ്ധമാക്കിയാലെ അവർക്കു് അങ്ങിനെ വിളിക്കാതിരിക്കാൻ സാധിക്കയുള്ളു. ചില വക്കീലന്മാർ വക്കാലത്തു നാമങ്ങളിൽ തമ്പുരാൻ എന്നും മറ്റും എഴുതിച്ചിക്കാറുണ്ടു്. പഠിച്ച വക്കീലന്മാർ ഇങ്ങിനെയാണെങ്കിൽ അത്ര പഠിച്ചില്ലാത്ത നാട്ടുപുറത്തെ പണക്കാരും സ്വാധീനക്കാരുമായ പ്രധാനികളുടെ നിർബ്ബന്ധം ഈ കാര്യത്തിൽ എത്രയായിരിക്കുമെന്നു് ഊഹിക്കാമല്ലൊ. നമ്മുടെ ഭാഷകൂടി ഈവക ആചാരവിളികൊണ്ടു ദുഷിച്ചിരിക്കുന്നു. ഇംഗ്ലീഷിൽ നീയും നിങ്ങളുമില്ല എല്ലാം നിങ്ങൾതന്നെ.

Mr. George Chakyamuri.—What about 'thou'?

മിസ്റ്റർ കെ. അയ്യപ്പൻ.—അതു പഴയ ഇംഗ്ലീഷു്. Modern ഇംഗ്ലീഷിൽ എല്ലാം you തന്നെ. അമേരിക്കയിൽ നോക്കുക. അവിടെ thou ഉം മറ്റും ഇല്ല. അതിനാൽ ഇങ്ങിനെയുള്ള നമ്മുടെ

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കുറവുകളെ കളയേണ്ടതു് അത്യാവശ്യമായതുകൊണ്ടു് ഞാൻ ഇതിനെ പിന്താങ്ങുന്നു.

മിസ്റ്റർ കെ. പി വള്ളോൻ.—ഞാൻ ഇതിനെ പിന്താങ്ങുന്നു. എനിക്കു് ഇതിനെ സംബന്ധിച്ചു പറയുവാനുള്ളതു് ഗവൺമെണ്ടിനു് അടിമസമ്പ്രദായത്തെ നിറുത്തൽ ചെയ്യണമെന്നുള്ള ഉദ്ദേശമുണ്ടെങ്കിൽ അല്പംപോലും താമസിക്കാതെ അതു ചെയ്യണമെന്നാണു്. അടിമചിഹ്നങ്ങളാണു് ഈമാതിരിയുള്ള വിളികളെല്ലാം. ഇതിനെക്കുറിച്ചു് ബഹുമാനപ്പെട്ട ഇഴവ മെമ്പർ ഇവിടെ പറഞ്ഞമാതിരി തമ്പുരാൻ, അടിയൻ എന്നു വിളിക്കുന്നതു മാത്രമല്ല എഴുത്തിലും കൂടി എഴുതേണ്ടിയിരിക്കുന്നു. സാധാരണ ഭാഷയിൽ തന്നെ ഇതു് ഒരു കേട്ട വാക്കാണു്. ഒരാൾക്കു് ഒരു കത്തെഴുതി അയയ്ക്കേണ്ടിവന്നാൽ അകത്തു് തമ്പുരാൻ, അടിയൻ, യജമാനൻ, മുതലാളി എന്നെഴുതുന്നതു കൂടാതെ മേൽവിലാസത്തിലുംകൂടി അങ്ങിനെ എഴുതേണ്ടിയിരിക്കുന്നു. ഇല്ലെങ്കിൽ വലിയ വിഷമങ്ങളെല്ലാം ഉണ്ടാകുന്നുണ്ടു്. അതിനാൽ ഈവക കാര്യങ്ങളിൽ ഗവൺമെണ്ടു് പ്രത്യേകം ശ്രദ്ധവയ്ക്കണം. ഇതുകൊണ്ടു് ഒരു ബഹുമാനവും ആക്ഷേപവുമില്ല. മഹാന്മാരെ വിളിക്കുന്ന വിളിയാണെന്നുള്ള ഉദ്ദേശം കൊണ്ടായിരിക്കാം അതു് എല്ലാവരും വേണമെന്നു നിർബ്ബന്ധിക്കുന്നതെങ്കിൽ അങ്ങിനെയുള്ള വിളിയെ ഉടനെ ഇല്ലാതാക്കണമെന്നുള്ള അപേക്ഷയോടുകൂടി ഞാൻ ഇതിനെ പിന്താങ്ങുന്നു

Mr. K. Achyuta Menon—Sir, I rise to oppose this resolution. This resolution came up before this House in some other form in one of the Sessionsof 1107. I believe it was moved by the Hon'ble Member for the South Ezhuvas. It then ran as follows:—"This Council recommends to the Government to effect the necessary enactments or issue the necessary notification to stop the unhealthy practiceof inserting terms addresses, showing communal superiority or inferiority such as "തമ്പുരാൻ, തിരുമേനി, യജമാനൻ, മുതലാളി, അടിയൻ, etc." in documents registered in registry offices, vakkalaths given to the Vakils and petitions presented to the courts of the State."

The Government in formulating their grounds of opposition even then pointed out that there was no law in this State prescribing special forms for drafting documents, or petitions etc. It also pointed out that no officer of the Government, so far as they were aware, insisted on the insertion of objectionable terms in any document. So long as there was no compulsion in the matter and parties presenting petitions or other documents for registration were free to evade these expressions, such as 'തമ്പുരാൻ, അടിയൻ, etc.,' an enactment or notification on the lines suggested by the Member, could, in the opinion of the Government, be issued only when the Government were satisfied that

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compulsion exercised in the matter, either by the officers or by the general public, was such as would legitimately wound the susceptibilities of any class or classes of the public. That contingency in the opinion of the Government, did not exist then. So the Government opposed the resolution. And I believe that the resolution was either withdrawn or not pressed then. The resolution now before the House is the successor of that resolution and it comes with a more ambitious garb. It seeks to eradicate not only communal superiority or inferiority but also social superiority or inferiority. As such I am afraid it has allowed itself to be open to more serious objections both theoretical and practical. The Hon'ble Members will find on a little reflection that it is both vague and unworkable. Let me illustrate by a few examples.

In the first place it does not profess to explain nor can any body undertake to explain the terms of social superiority or inferiority, terms which are as vague as they are elusive, terms which are again liable to be interpreted in different manner according to the predilictions and the proclivities of the people who have to interpret it. That is one objection.

Then again it does not say who the ultimate authority is to interpret whether a particular term is objectionable or not. That is objection number 2.

Then again, can he ever exhaust these words which are supposed to be objectionable? Obviously not.

The fourth thing is it does not say what happens if a Registrar accepts a document on the ground that he does not find any terms indicating social superiority or inferiority in it and when that registered document gets along to the court, the Judge says that the terms are objectionable on the ground that they denote social superiority or inferiority. Do we not then see the spectacle of a registered document being shut out by another officer on the ground that a term there indicates social superiority or inferiority?

Then again it does not say what happens if one Registrar declines to accept and another accepts a document, in consequence of difference of opinion. Suppose the Registrar of Anthikad says that a particular term is not a term of social superiority or inferiority whereas the Registrar of Trichur says that it is. These are practical objections which have suggested to me with respect to the actual workability of the resolution.

Then again, it has got an operation which I do not think the Hon'ble Member has thought upon. Suppose, for instance, a Christian gentleman wants to execute a document to his Lordship the Bishop and inserts the word "തിരുമനി". It has to

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be objected to as a term of social superiority or inferiority and the document has to be shunted out. That is one thing. Let us avoid the word "തിരുമേനി". Suppose he uses the word "അരമന" for measuring paddy, such as, "അരമനയിൽ അളന്ന കൊള്ളാം". Then again it is liable to be interpreted as denoting social superiority or inferiority and the document will have to be ruled out. Then again, let us take another instance. Suppose another person wants toexecute a document to a Ruling Prince, a member of the Royal Family and uses the word "ഇന്ന തമ്പുരാന്". The document will have to be shunted out because the objectionable term is there. Then again, suppose a Hindu gentleman wants to execute a document to a Swami of Natuvila Matam. Suppose he uses the words "ഭാരതികൾ എന്ന തിരുനാമ ത്തോടെ". Out goes the document. I am only illustrating. It is unnecessary to multiply illustrations. I have sufficiently explained the difficulties.

The resolution, in the opinion of the Government, invites Government to interfere in a matter which is essentially one between the parties ; not only in the matter of freedom of action but in the matter of freedom of expression. So long as the law does not insist on any special phraseology being used and the public servants are not using any compulsion in the matter, the Government cannot interfere. If, due to reasons with which Government can have no direct concern, there are persons who willingly employ these terms, the law cannot step in. On these grounds the resolution is opposed by the Government.

Mr. M. K. Raman.—Sir, I am quite surprised to find the Hon'ble Member for Law interpreting the resolution in such a strange manner quoting instances of this nature. I say that the Government Member should not have treated the subject in such a light fashion. I fail to see the wonderful difficulty of the Hon'ble Member to find out the objectionable expressions. Is it not possible for the Government to publish a list of such words and issue a circular? The Hon'ble Member's argument is something like a drowning man catching a straw. He has no reasonable arguments. But then something must be said. So he simply said that it is impractical and unworkable. The Hon'ble Member no doubt is capable of giving expression to several fine phrases and he has expressed them. But no argument has been adduced. The point in this resolution is that certain inequalities between different communities indicated by certain humiliating terms in documents should be removed. As I said before, I want the people of Cochin to become one nation. The Nambudiri need not exclusively remain throughout only as a Nambudiri and the Pulayan as Pulayan. I do not want

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the state of affairs to be such perpetually. In course of time the Nambudiri, the Tamil Brahmin, the Nayar, the Ezhuva and the Pulaya all must become one nation. These are perhaps some of the ways of removing these differences and inequalities. My object in tabling this resolution is that our Government which is well known to be a progressive Government, should take the initiative in that matter, namely, by issuing a circular to the subordinates that documents containing objectionable terms should be rejected. There is absolutely no difficulty for that. It is only a lame excuse that the Government has now given and I am sorry to find the Government giving expression to such excuses. I request the House to vote for the resolution unanimously.

Resolution put and negatived.

The following resolution was considered withdrawn as the Member was absent.

Mr. K. T. Mathew.—*This Council recommends to take immediate steps for connecting water communication from Cochin to Kunnamkulam to facilitate import and export of goods through Cochin Harbour.*

6. Female Government Servants.

Mr. M. K. Raman—Sir, I move the following resolution:—

"This Council recommends to the Government that the rule or convention or understanding that exists in some departments of service to the effect that women who seek Government appointment should be unmarried and should continue to remain so be forthwith abolished."

If the Government should insist upon ladies who are entering Government service to remain unmarried, I think, in justice, they should also insist upon the men who enter service to remain unmarried. Why should this partiality be shown to men? (*Hear, hear.*) (*Laughter*).

Mr. K. Ayyappan.—On a point of information. May I know whether there is any convention or rule to that effect?

President.—The Government will answer.

Mr. M. K. Raman.—I understand that in the Medical Department certain class of Government servants are not allowed to marry and I do not know whether they insist on those who have already married to divorce. If they are married they are simply sent out. I also understand in the Education Department—I do not know whether there is a rule like that—as far as possible they take only unmarried women. They have got, no doubt, an excuse. Married women take leave more often than unmarried women and naturally the service suffers. That is true. But once the Government have entertained the idea of taking into service women all such things which are incidental to women must also be provided for. To insist that

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